

0016

Outgoing
C/007/0039

From: Angela Nance
To: vmiller@archcoal.com
CC: Daron Haddock; kbrittin@archcoal.com
Date: 3/10/2009 12:10 PM
Subject: Dugout Bond Replacement (C/007/0039)
Attachments: Exhibit_D.doc; PERMITTEEAFFIDAVIT OF QUALIFICATION.doc

Q

Hi Vicky,

I received Bond #SUR0000326 issued by Argonaut Insurance Company, which is to replace the existing bond issued by St. Paul Fire and Marine Insurance Company. Everything looks great - I just need one other form in order to complete the replacement.

Please have the appropriate party sign the attached Exhibit "D" (Stipulation to Revise the Reclamation Agreement) and an Affidavit of Qualification. As soon as I have all of the required paperwork - I will forward all of the documents to our Director for signature. At that time, we can also release the bond issued by St. Paul.

Thank you,
Angela
Bond Coordinator
angelanance@utah.gov

EXHIBIT “D”

Stipulation to Revise Reclamation Agreement (Federal)

Permit Number: C/007/0039
Effective Date: _____
Bond Number: SUR0000326

COAL
STIPULATION TO REVISE RECLAMATION AGREEMENT
--ooOOoo--

This **STIPULATION TO REVISE RECLAMATION AGREEMENT** entered into by and between the **PERMITTEE** and **DIVISION** incorporates the following revisions or changes to the **RECLAMATION AGREEMENT**: (Identify and Describe Revisions below)

Bond #SUR0000326 issued by Argonaut Insurance Company replaces
Bond #400SA1917 issued by St. Paul Fire and Marine Insurance Company.

In accordance with this **STIPULATION TO REVISE RECLAMATION AGREEMENT**, the following Exhibits have been replaced by the **PERMITTEE** and are approved by the **DIVISION**.

 X Replace the Reclamation Agreement in its entirety.

 Replace Exhibit "A"- bonded area.

 Replace Exhibit "B"- bonding agreement

 Replace Exhibit "C"- liability insurance

The bonding amount is revised from \$ _____ to \$ _____.

The bonding type is changed from _____ to _____.

The surface disturbance is revised from _____ acre to _____ acres.

The expiration date is revised from _____ to _____.

The liability insurance carrier is changed from _____ to _____.

The amount of insurance coverage for bodily injury and property damage is changed
from
\$ _____ to \$ _____.

IN WITNESS WHEREOF, _____ the **PERMITTEE** has hereunto set
its signature and seal this _____ day of _____, 20__.

PERMITTEE

By: _____

Title: _____

ACCEPTED BY THE STATE OF UTAH this ____ day of _____, 20__.

Director,
Division of Oil, Gas and Mining

NOTE: An **Affidavit of Qualification** must be completed and attached to this form for each authorized agent or officer. Where one signs by virtue of Power or Attorney of a company, such Power of Attorney must be filed with this Agreement. If the **PERMITTEE** is a corporation, the Agreement shall be executed by its duly authorized officer.

Bond Number SUR0000326

AFFIDAVIT OF QUALIFICATION PERMITTEE

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I, _____, being first duly sworn under oath, deposes and says that he/she is the (officer or agent) _____ of _____; and that he/she is duly authorized to execute and deliver the foregoing obligations; and that said PERMITTEE is authorized to execute the same and has complied in all respects with the laws of Utah in reference to commitments, undertakings and obligations herein.

(Signed)

Name - Position

Attest: _____
Secretary of the Corporation

STATE OF _____)
COUNTY OF _____) ss:

Subscribed and sworn to before me this ____ day of _____, 20__.

Notary Public

My Commission Expires:

_____, 20____.